

MINUTES
TOWN OF EAST FISHKILL
TOWN BOARD MEETING
APRIL 22, 2021
7:00 p.m.

REGULAR BOARD MEETING

The Town of East Fishkill's Town Board Meeting on April 22, 2021 was called to order at 7:00 pm. by Supervisor D'Alessandro with the Pledge of Allegiance.

Supervisor's Announcements

Supervisor D'Alessandro stated the Board was fully vaccinated, so he was removing his mask for his comments. He hopes everyone's families are doing well.

They have been continuing to have weekly meetings with the Dutchess County Executive and Mayors and Supervisors Association. They have been discussing Covid issues and vaccination sites. There have been some Covid issues at town Hall that have caused departments to have to close down for quarantine. The Town Hall is open Monday Wednesday and Friday to the public. He thanked all the employees for the help with these issues.

The Mayors and Supervisors Association is planning on having its first in person meeting in May.

Supervisor D'Alessandro has been meeting with the Economic Development Director and the Supervisor from the Town of Wappingers to try to formulate an Intermunicipal Sewer Plan. This would be a very big project and they have been working with New York State Economic Development in regard to grants. The cost estimate was \$56 million. They were told New York State Economic Development only funds up to 50% of the project so they will need to modify it somewhat. The Town of Wappingers has a failing sewer plant, which is why they were looking for a joint project. With various grants they could qualify. A lot of grants are tied to job creation and the initial estimate for this project is that it would create approximately 500 new jobs.

Phillips Road at Beekman Road is under construction and the intersection of Phillips Road and Noah's Way has been closed. Dutchess County safety plan has been submitted. Dutchess County has not left the Town with many options.

They're looking to spend as much as possible on paving and they are looking to go out to bid for certain roads. They have consistently been trying to grow the paving funds to increase the amount of paving they can do. The paving plan proposed will be the largest resurfacing plan in the last 25 years in this town. They are looking at potentially paving over \$3 million worth of roads this year.

The Tax Receiver's Office has moved to the old town hall, which is located adjacent to the Police Department on Route 52. He Thanked the Highway Department for all of the renovations done there.

Today is Earth Day. Town Cleanup Day will be Saturday, May 1. It will start at Town Hall at 8:30 AM.

The annual Memorial Day ceremony, including a short parade from the Community Center to the memorial located at the intersection of Beekman Road and Route 82 on May 31 at 10:30 AM. The Sons of Italy are planning on holding their annual festival at the Recreation Park. He thanked all of the veterans and the Manny Bacon American Legion Post for their service and support for Memorial Day celebrations.

Janet McHugh from Recreation has moved on to another job. He thanked her for all her contributions and hard work.

The Town is planning on holding Community Day celebration this year. The committee is meeting to discuss it. It is the 25th anniversary for it.

Brush drop-off will be from May 26 until June 19. It will also be October 6 to October 30.

Supervisor D'Alessandro has been meeting with staff, the contractor, and the EPA regarding Hopewell North Water District. There are many items to resolve. The Town will not take ownership until these issues are corrected.

The Town has successfully completed the Hillside Lake Water Filtration Project. He thanked the Highway Superintendent and staff for all of their work as well as the Engineering Department. They will be treating Hillside Lake for algae and lily pads.

Roll the Call: Supervisor D'Alessandro asked Town Deputy Clerk, via video, to call the rolls.

Board Members in attendance:

Peter	Thomas	Emanuele	Anil	Nicolas
Cassidy	Franco	Marinero	Beephan	D'Alessandro

Thomas Wood, Attorney; Chief Bellino, East Fishkill Police Department; Ken Williams, Highway Superintendent.

Via Zoom: Mark Pozniak, Comptroller; Scott Bryant, Engineer.

At this point Supervisor D'Alessandro stated they were going to change the order of the meeting and go directly to Resolution number two.

Motion to authorize the promotion of a Police Officer to Patrol Sergeant: Board Member Beephan. Seconded: Board Member Marinero. All voted in favor. Motion carried.

Supervisor D'Alessandro congratulated Officer Humphreys.

Public Hearings:

Public Hearing Amending the Zoning Code with respect to abandoned applications

Motion to open the Public Hearing: Board Member Cassidy. Seconded: Board Member Beephan. All voted in favor. Motion carried.

Attorney Wood stated this is a proposed amendment to the Town Zoning Ordinance. There are times when applications are presented and then the applicant does not move forward with it and it drops off of the agenda for months or years. This would set a two-year time limit as to when this application would be deemed abandoned and would need to be refiled and comply with the current rules. If an application is progressing and moving along with other agency approvals, this would not apply. If an application has not been moved on within the town in a two-year period it will be deemed abandoned.

Supervisor D'Alessandro stated this has happened with some larger projects. It becomes problematic as laws change so this keeps everything current.

Supervisor D'Alessandro asked if there were any questions or comments from Board members.

Board Member Franco stated a two-year cap is smart and seems very fair.

Board Member Marinaro asked if there would be a reminder from the Building Department sent to applicants prior to applications expiring. Attorney Wood stated that could be arranged. Supervisor D'Alessandro stated that did sound fair.

Supervisor D'Alessandro asked if there was anyone in the public to speak for or against this. There was no one. He asked if there were any questions or comments from Board members. There were none.

Motion to close the Public Hearing: Board Member Franco. Seconded: Board Member Cassidy. All voted in favor. Motion carried.

Supervisor D'Alessandro stated they are waiting for Dutchess County Planning to send their comments. Attorney Wood stated that they did receive their comments back today and there are none.

Motion to approve the Local Law: Board Member Franco. Seconded: Board Member Beephan. All voted in favor. Motion carried.

Approval of Minutes:

March 11, 2021

March 25, 2021

Motion to approve the minutes from the March 11 and March 25, 2021 meetings: Board Member Beephan. Seconded: Board Member Franco. All voted in favor. Motion carried.

Announcement of Additions to the Agenda:

Supervisor D'Alessandro stated there are a few additions to the agenda. One is to award brush drop off. One is to appoint a temporary, part-time typist. The last is to authorize the fireworks permit for the Sons of Italy Festival Memorial Day weekend.

Courtesy of the Floor

Supervisor D'Alessandro asked if there was anyone from the public to speak on any town issues.

Keith Dimaso asked if the inspection was already done in regard to the Hillside Lake Dam Study. Attorney Wood stated the Engineer's Inspection was done. The report has just been received and will be available to the public. Clerk Hurray stated the report is already on the website.

Legislator Steve Caswell reported on the annual reorganization meeting, bond approval for lighting at Dutchess Stadium, Dutchess County Police Reform and Modernization Program, and additional road repair and building repair bonds. There are a few large projects coming up, including a youth center in Poughkeepsie for \$25 million. The County got the \$57.5 million for Covid relief. Half will come in the next few months and half will come in 2022. The County financial position is strong at this point. Supervisor D'Alessandro asked legislator Caswell to please pass on that the County Executive did promise \$50,000 to East Fishkill for a generator for the Town Hall and he is wondering when to expect that.

Receive and File

Supervisor D'Alessandro stated there was a petition of the Global Foundries for the creation of a water Transportation Corporation and referred the same to the Town Engineer and Town Attorney for review. They also received the Hillside Lake Dam Study.

Resolutions:

Supervisor D'Alessandro did motion number three and motion number four first.

1. Authorize the hiring of Assistant Camp Director

RESOLUTION
(AUTHORIZING HIRING OF ASSISTANT CAMP DIRECTORS)

WHEREAS, the Town of East Fishkill conducts extensive summertime programs for the Town; and

WHEREAS, it is the desire of the Town Board to authorize the hiring of three Assistant Camp Directors for the summer season as set forth in the letter from the Co-Director of Recreation attached hereto;

WHEREAS, the Co-Director of Recreation has submitted to the Town Board the names of the Assistant Camp Directors for this summer program and the amounts of their hourly rates; and

NOW, THEREFORE, BE IT RESOLVED, that Nicholas Howe, Kathleen Intravaia, and Connor Wade are hereby appointed to the position of Assistant Camp Director at the hourly rate of \$20.00; and

BE IT FURTHER RESOLVED, that said employment shall only be during the summertime employment for the amounts listed in the letter and that upon completion of their task, they shall be removed from the payroll, unless further ordered by the Town Board.

Motion to authorize the hiring of an Assistant Camp Directors: Board Member Franco. Seconded: Board Member Cassidy. All voted in favor. Motion carried.

2. Authorize the promotion of a Police Officer to Patrol Sergeant

RESOLUTION
(AUTHORIZE POLICE PROMOTION)

WHEREAS, a Sergeant position has been vacant in the Town of East Fishkill since the retirement of Corey W. Ehrhart; and

WHEREAS, The Town Police Chief requests to appoint a police officer to said vacant position; and

WHEREAS, the Town Board has reviewed the Dutchess County Civil Service mandatory list; and

WHEREAS, the Town Board has interviewed the eligible candidates, recommended by the Town Police Chief; and

NOW, THEREFORE, BE IT RESOLVED, the Town Board hereby appoints Police Officer Alexander Humphreys to the position of Police Sergeant; and

BE IT FURTHER RESOLVED, such person will be paid pursuant to the PBA Collective Bargaining Agreement Salary Schedule effective April 23, 2021.

Motion to authorize the promotion of a Police Officer to Police Sergeant: Board Member Beephan. Seconded: Board Member Marinaro. All voted in favor. Motion carried.

3. Authorize the promotion of a Police Assistant to Senior Police Assistant

RESOLUTION
(POLICE DEPARTMENT PROMOTION)

WHEREAS, the Town Police Chief has identified the need for a Senior Police Assistant in the Town of East Fishkill Police Department; and

WHEREAS, Dutchess County Civil Service has determined there is no list for said title; and

WHEREAS, interviews have been conducted by the Town Police Chief and Town Board; and

NOW, THEREFORE, BE IT RESOLVED, the Town Board hereby provisionally appoints Jessica Deschene to Senior Police Assistant effective April 23, 2021; and

BE IT FURTHER RESOLVED, said person will be paid pursuant to the CSEA Collective Bargaining Agreement Salary Schedule.

Motion to authorize the promotion of a Police Assistant to Senior Police Assistant: Board Member Beephan. Seconded: Board Member Marinaro. All voted in favor. Motion carried.

4. Authorize the promotion of a part-time Police Assistant to a Full Time Police Assistant and fill a vacancy for the part-time Police Assistant as well

RESOLUTION
(APPOINTING PART-TIME AND A FULL-TIME EMPLOYEES TO THE POLICE DEPARTMENT)

WHEREAS, vacancies exist for a part-time and full-time Police Assistant in the Town of East Fishkill Police Department; and

WHEREAS, the Civil Service list for said title has been canvassed; and

WHEREAS, interviews have been conducted by the Town Police Chief and Town Board; and

NOW, THEREFORE, BE IT RESOLVED, the Town Board hereby appoints Dylan Sala as full-time Police Assistant and Matthew Goldsmith as part-time Police Assistant; and

BE IT FURTHER RESOLVED, such persons will be paid pursuant to the CSEA Collective Bargaining Agreement Salary Schedule effective April 23, 2021.

Motion to authorize the promotion of a part-time Police Assistant to a Full Time Police Assistance and: Board Member Beephan. Seconded: Board Member Marinaro. All voted in favor. Motion carried.

5. Declare Town Board as Lead Agency for the Hopewell Hamlet Interconnection Project

RESOLUTION

(DECLARING LEAD AGENCY FOR FISHKILL PLAINS, REVERE PARK, AND WORLEY WATER DISTRICTS INTERCONNECTION AND SYSTEM IMPROVEMENTS)

WHEREAS, the Town of East Fishkill has determined that the Fishkill Plains, Revere Park, and Worley Water Districts are in need for water source; and

WHEREAS, the Town of East Fishkill studied several alternates for providing a reliable water source to the water districts and determined that the proposed multi-district interconnection and other improvements best meets water source needs; and

WHEREAS, the project will include interconnection between Hopewell Hamlet Water District and Fishkill Plains Water District; and

WHEREAS, the project will include interconnection between Brettview Water District and Revere Park Water District; and

WHEREAS, the project will include interconnection between Brettview Water District and Worley Water District; and

WHEREAS, the project will include system improvements to improve water quality and water flow. Improvements will include metering, water pipe replacement, and flushing hydrants; and

WHEREAS, to facilitate the proposed project, the Town is seeking funding through the NYS Environmental Facilities Corporation (NYSEFC); and

WHEREAS, to further facilitate the proposed project, the Town is seeking grant through the Water Infrastructure Improvement Act (WIIA); and

WHEREAS, a Full Environmental Assessment Form (FEAF) Part 1 was filed with the Town of East Fishkill Town Board (“Town Board”) as required by 6 NYCRR §617.6(a)(2) to initiate the State Environmental Review Act (SEQRA) for the proposed project; and the Town Board identified the project as an unlisted action; and

WHEREAS, the Action involves one or more other involved agencies, and the Town conducted a coordinated review under SEQR circulating the EAF along with a Notice declaring its intent to serve as Lead Agency to the Involved Agencies; and

WHEREAS, the Involved Agencies have consented to the Town Board role as Lead Agency;

NOW THEREFORE, IT IS RESOLVED, that the Town Board hereby declares and accepts Lead Agency status for the purpose of conducting the SEQR review of the Action.

RESOLUTION

(Resolution of Negative Declaration for an UNLISTED ACTION Under SEQRA in Connection with FISHKILL PLAINS, REVERE PARK, AND WORLEY WATER DISTRICTS INTERCONNECTION AND SYSTEM IMPROVEMENTS)

WHEREAS, the Town of East Fishkill has determined that the Fishkill Plains, Revere Park, and Worley Water Districts are in need for water source; and

WHEREAS, the Town of East Fishkill having duly considered the interconnections and system improvements and the funding for the project and is cognizant that such proposed action may possibly be considered to have an effect on the environment; and

WHEREAS, the Town of East Fishkill by operation of law is the lead agency authorized to perform a review under the State Environmental Quality Review Act (hereinafter “SEQRA”) pursuant to Article 8 of the Environmental Conservation Law and undertook and COORDINATED review and enlisted the services of appropriate consultants to study and analyze the proposed action and provide

professional opinions as to the classification of the nature of the proposed action for purposes of SEQRA; and

WHEREAS, a comprehensive review of the proposed project has been completed and it has been determined that the project is an UNLISTED ACTION for purposes of SEQRA; and

WHEREAS a Long Form Environmental Assessment Form (EAF) was reviewed, discussed, and completed during a special meeting of the Board held on the 25th day of March 2021 at which time the review included the criteria and determined the significance of the project including the proposed action, its location, its purpose, and its potential impacts on the environment.

WHEREAS, the Town of East Fishkill studied several alternates for providing a reliable water source to the water districts and determined that the proposed multi-district interconnection and other improvements best meets water source needs; and

WHEREAS, the project will include interconnection between Hopewell Hamlet Water District and Fishkill Plains Water District; and

WHEREAS, the project will include interconnection between Brettview Water District and Revere Park Water District; and

WHEREAS, the project will include interconnection between Brettview Water District and Worley Water District; and

WHEREAS, the project will include system improvements to improve water quality and water flow. Improvements will include metering, water pipe replacement, and flushing hydrants; and

WHEREAS, to facilitate the proposed project, the Town is seeking funding through the NYS Environmental Facilities Corporation (NYSEFC); and

WHEREAS, to further facilitate the proposed project, the Town is seeking grant through the Water Infrastructure Improvement Act (WIIA); and

WHEREAS, a Full Environmental Assessment Form (FEAF) Part 1, 2, and 3 was filed with the Town of East Fishkill Town Board ("Town Board") as required by 6 NYCRR §617.6(a)(2) to initiate the State Environmental Review Act (SEQRA) for the proposed project; and the Town Board identified the project as an unlisted action; and

WHEREAS, the Action involves one or more other involved agencies, and the Town conducted a coordinated review under SEQR circulating the EAF along with a Notice declaring its intent to serve as Lead Agency to the Involved Agencies; and

WHEREAS, the Involved Agencies have consented to the Town Board role as Lead Agency;

NOW THEREFORE, IT IS RESOLVED, that the proposed action is classified as an Unlisted Action; and be it

FURTHER RESOLVED, that the said SEAF with both Parts 1 and 2 filled out be attached to this Resolution for inclusion in the Town's Records, and be it

FURTHER RESOLVED, that the Town issues a negative declaration in connection with the SEQRA review of this project, be it

FURTHER RESOLVED, that the Supervisor is hereby authorized and directed to endorse the said Negative Declaration on Part 3 of the SEAF attached hereto; and be it

FURTHER RESOLVED, that based upon the consideration and completion declaration noted above, action is required by the Town to comply with SEQRA, through notification to the Environmental Notice Bulletin (ENB) and authorizes the Town Clerk to make notification.

Motion to declare the Town Board as Lead Agency for the Hopewell Hamlet Interconnection Project: Board Member Franco. Seconded: Board Member Beephan. All voted in favor. Motion carried.

6. Accept Dutchess County recommendation to abandon part of Phillips Road

RESOLUTION
(ACCEPTING DUTCHESS COUNTY'S PROPOSED MODIFICATIONS TO BEEKMAN ROAD)

WHEREAS, the County has undertaken a reconstruction of Beekman Road in the Towns of East Fishkill and Beekman; and

WHEREAS, as last proposed Phillips Road at its intersection with Beekman Road would be closed or turning movements physically restricted; and

WHEREAS, after consultation a modified plan has been proposed to provide a short cul-de-sac off Beekman Road for the three houses immediately adjacent and calls for the abandonment of Phillips Road from the end of the new cul-de-sac to Noah Way; and

WHEREAS, this was studied and recommended during the approval process for the Four Corners Community; and

WHEREAS, the modifications are part of the County's Beekman Road project;

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor and Highway Superintendent are authorized to execute any documents needed to effectuate the current County proposal

Motion to accept Dutchess County recommendation to abandon part of Phillips Road: Board Member Beephan. Seconded: Board Member Franco. All voted in favor. Motion carried.

7. Authorize Town Engineer to advertise for bids for the construction of a sewer line on Auditorium Drive on behalf of the Route 52 Sewer Improvement Area

RESOLUTION

(AUTHORIZE THE TOWN ENGINEER TO ADVERTISE FOR THE CONSTRUCTION OF A SEWER LINE IN AUDITORIUM DRIVE ON BEHALF OF THE RTE 52 SEWER IMPROVEMENT AREA)

WHEREAS, Sewer improvement areas allow for the construction of new infrastructure to benefit the area; and

WHEREAS, the Town Engineer has determined that constructing a sewer line on Auditorium Drive would be beneficial;

NOW THEREFORE BE IT RESOLVED, that the Town Engineer is authorized to advertise for the construction of a sewer line in Auditorium Drive on behalf of the Rte 52 Sewer Improvement Area.

Motion to authorize Town Engineer to advertise for bids for the construction of a sewer line on Auditorium Drive on behalf of the Route 52 Sewer Improvement Area: Board Member Franco. Seconded: Board Member Marinaro. All voted in favor. Motion carried.

8. Authorize the settlement of a tax certiorari for 2603 Route 52

Supervisor D'Alessandro stated this motion was going to be tabled.

9. Set a Public Hearing to consider the formation of a Commercial Water District on Route 52 for June 24, 2021

RESOLUTION

**(CONSIDERING THE FORMATION OF THE
ROUTE 52 COMMERCIAL WATER DISTRICT)**

WHEREAS, Global Foundries has asked the town to approve their formation of a Water Works Corporation to serve their property and the developed parcels owned by National Resources (I Park); and

WHEREAS, should a default in operating the Water Transportation Corp occur, then the company would revert to the town; and

WHEREAS, in that event a water district that includes only those parcels served by the water company would bear the costs; and

WHEREAS, the Town Board must form this district prior to authorizing the water works;

NOW, THEREFORE, BE IT RESOLVED, that this Board will conduct a Public Hearing on June 24, 2021 at 7:00 pm to consider the formation of the Route 52 Commercial Water District; and

BE IT FURTHER RESOLVED, that the Clerk shall publish a notice of said hearing and enter an Order calling said hearing in the minutes of the Board.

Motion to set a Public Hearing to consider the formation of a Commercial Water District on Route 52 for June 24, 2021: Board Member Franco. Seconded: Board Member Beephan. All voted in favor. Motion carried.

10. Authorize a Temporary agreement with Dutchess County Water Authority for a temporary water connection for Hopewell West, Brettview and Fishkill Plains Water District

RESOLUTION

**(AUTHORIZING TEMPORARY WATER CONNECTION
TO DCWA MAIN AND TOWN WATER SYSTEMS)**

WHEREAS, in order to improve water quality and supply for some of the Town's water district pending the construction of a new town interconnect it has been determined that a temporary connection to the Dutchess County Water Authority pipeline would be helpful;

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor is authorized to execute a temporary agreement, for not more than 265 days, to draw not less than 40,000 gpd nor more than 100,000 gpd from the DCWA pipeline; and

BE IT FURTHER RESOLVED, that the Supervisor can sign an agreement with the Town of Poughkeepsie for 100,000 gallons of water storage on the DCWA pipeline for the 265 day period at a cost of \$1250.00.

Motion to authorize a Temporary agreement with Dutchess County Water Authority for a temporary water connection for Hopewell West, Brettview and Fishkill Plains Water District: Board Member Marinaro. Seconded: Board Member Beephan. All voted in favor. Motion carried.

11. Set a Public Hearing for June 24, 2021 to consider amending the Zoning Ordinance to create an overlay district for the Route 52 corridor as well as to address existing residential uses in B Zones

RESOLUTION

(SET PUBLIC HEARING FOR JUNE 24, 2021 TO CONSIDER AMENDING THE ZONING ORDINANCE TO CREATE AN OVERLAY DISTRICT FOR THE RTE 52 CORRIDOR AS WELL AS TO ADDRESS EXISTING RESIDENTIAL USES IN B ZONES)

WHEREAS, the Supervisor and Town Board have directed staff to keep the Town Board apprised of current land use practices which would benefit the residents; and

WHEREAS, an overlay zone for the Route 52 corridor could allow new uses which could benefit the Town by providing necessary infrastructure upgrades should a new project be approved; and

WHEREAS, there are also residents who own residential property in business districts, which limits what these residents can do with their properties; and

WHEREAS, from time to time, the Town Board holds public hearings to determine if zoning text amendments are necessary to keep the Town up to date with appropriate land uses;

NOW THEREFORE BE IT RESOLVED, that the Town Board shall hold a public hearing on June 24, 2021 to consider amending the Zoning

Ordinance to create an overlay district for the Rte 52 Corridor as well as to address existing residential uses in B zones.

Motion to set a Public Hearing for June 24, 2021 to consider amending the Zoning Ordinance to create an overlay district for the Route 52 corridor as well as to address existing residential uses in B Zones: Board Member Marinaro. Seconded: Board Member Franco. All voted in favor. Motion carried.

12. Authorize a parking use agreement for parking adjoining the Old Town Hall

RESOLUTION

**(AUTHORIZING PARKING AGREEMENT WITH
RAND MANNING REAL ESTATE, INC.)**

WHEREAS, the town is relocating the Tax Receiver's office to the "Old Town Hall" building located on Route 52 at its intersection with Route 376; and

WHEREAS, in order to provide more parking and make the site easier to navigate for the public the town is interested in leasing part of the adjoining vacant parcel; and

WHEREAS, the adjoining parcel is owned by Rand Manning Real Estate, Inc. and they are willing to lease the parcel of .53 acres to the town;

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor is authorized to sign a year to year lease agreement with respect to a parcel known as Grid #6456-02-691621; and

BE IT FURTHER RESOLVED, that said lease will be for one year and will automatically renew for additional one year periods unless either party gives the other 60 days' notice of cancellation at the end of the then current year; and

BE IT FURTHER RESOLVED, that the annual fee payable to the owner is \$2,500.00; and

BE IT FURTHER RESOLVED, that this resolution is subject to permissive referendum.

Motion to authorize a parking use agreement for parking adjoining the Old Town Hall: Board Member Cassidy. Seconded: Board Member Marinaro. All voted in favor. Motion carried.

13. Authorize the Town Engineer to advertise for bids to pave certain town roads in consultation with the Highway Superintendent

RESOLUTION

(AUTHORIZE THE TOWN ENGINEER TO ADVERTISE FOR BIDS TO PAVE CERTAIN TOWN ROADS IN CONSULTATION WITH THE HIGHWAY SUPERINTENDENT)

WHEREAS, the Supervisor, Town Board, Highway Superintendent, and Staff take a yearly inventory of roads in need of repair; and

WHEREAS, the Town is working on finalizing its list of roads needing to be paved;

NOW THEREFORE BE IT RESOLVED, that the Town Engineer is authorized to advertise for bids to pave certain town roads in consultation with the Highway Superintendent

Motion to authorize the Town Engineer to advertise for bids to pave certain town roads in consultation with the Highway Superintendent: Board Member Franco. Seconded: Board Member Beephan. All voted in favor. Motion carried.

14. Authorize a grant application to the Bridge New York program for additional funding for the Carol Drive Bridge

RESOLUTION

(AUTHORIZE A GRANT APPLICATION TO THE BRIDGE NEW YORK PROGRAM FOR ADDITIONAL FUNDING FOR THE CAROL DRIVE BRIDGE)

WHEREAS, the New York State Department of Transportation offers the BRIDGE NY Program, which provides funding for local governments to rehabilitate and replace bridges; and

WHEREAS, the Town would like to make improvements to the Carol Drive Bridge;

NOW THEREFORE BE IT RESOLVED, that the Town staff is authorized to file a grant application to the BRIDGE NY Program for additional funding for the Carol Drive Bridge.

Motion to authorize a grant application to the Bridge New York program for additional funding for the Carol Drive Bridge: Board Member Franco. Seconded: Board Member Beephan. All voted in favor. Motion carried.

15. Authorize a grant application to the Bridge New York program for additional funding for the culvert located at the intersection of Route 52 and Palen Road

(AUTHORIZE A GRANT APPLICATION TO THE BRIDGE NEW YORK PROGRAM FOR ADDITIONAL FUNDING FOR THE CULVERT LOCATED AT THE INTERSECTION OF ROUTE 52 AND PALEN ROAD)

WHEREAS, the New York State Department of Transportation offers the BRIDGE NY Program, which provides funding for local governments to rehabilitate and replace bridges and culverts; and

WHEREAS, the Town would like to make improvements to the culvert located in proximity to Route 52 and Palen Road;

NOW THEREFORE BE IT RESOLVED, that the Town staff is authorized to file a grant application to the BRIDGE NY Program for additional funding for the culvert in the vicinity of Route 52 and Palen Road

Motion to authorize a grant application to the Bridge New York program for additional funding for the culvert located at the intersection of Route 52 and Palen Road: Board Member Franco. Seconded: Board Member Beephan. All voted in favor. Motion carried.

16. Authorize Town Attorney to join litigation pending concerning contamination of some wells

RESOLUTION

(AUTHORIZE THE TOWN ATTORNEY TO JOIN LITIGATION CONCERNING CONTAMINATION OF SOME WELLS)

WHEREAS, the Town recently received notice that some of the wells in the Town do not meet New York State's requirements for certain chemicals; and

WHEREAS, New York recently enacted these requirements, which are significantly stricter than the federal government's requirements for the same chemical; and

WHEREAS, municipalities throughout New York State and the Country have also experienced this same problem; and

WHEREAS, there is a law firm which has taken the lead in helping municipalities recover damages; and

WHEREAS, the Town will not have to pay any money to this law firm unless it recovers a monetary award;

NOW THEREFORE BE IT RESOLVED, that the Town Attorney is authorized to obtain Napoli Shkolnik, PLLC to assist the Town with litigation concerning contamination of some wells.

Motion to authorize Town Attorney to join litigation pending concerning contamination of some wells: Board Member Beephan. Seconded: Board Member Cassidy. All voted in favor. Motion carried.

17. Authorize a weight restriction on Miller Hill Road

RESOLUTION

(IMPOSING A WEIGHT RESTRICTION ON MILLER HILL ROAD)

WHEREAS, Miller Hill Road is a Town road within the Town running from the Kent/East Fishkill Town line to Shenandoah Road within the Town; and

WHEREAS, recently many large and heavy trucks have been regularly traversing this road; and

WHEREAS, the truck traffic passes thru the area and does not deliver materials to any property along the road; and

WHEREAS, the Town Highway Superintendent and Engineer have expressed safety concerns as well as concerns for the infrastructure of the road;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board imposes a weight limit of 5 tons local delivery except on Miller Hill Road from the Kent town line to Shenandoah Road; and

BE IT FURTHER RESOLVED, that the Highway Superintendent will post said road and advise the Kent Highway Superintendent of the same and coordinate signage with the Town of Kent.

Motion to authorize a weight restriction on Miller Hill Road: Board Member Cassidy. Seconded: Board Member Beephan. All voted in favor. Motion carried.

18. Authorize a Planning Board alternate member to a Permanent Member

RESOLUTION

(APPOINTING A PLANNING BOARD MEMBER)

WHEREAS, the Planning Board is made up of seven members; and

WHEREAS, due to one member retiring, it is necessary for the Town Board to appoint a member to the Planning Board for a period of four years in accordance with the provisions of Town law;

NOW, THEREFORE, BE IT RESOLVED, that Craig Arco be and hereby is appointed as a permanent member to the Planning Board for a period of four years.

Motion to authorize a Planning Board alternate member to a Permanent Member: Board Member Cassidy. Seconded: Board Member Franco. All voted in favor. Motion carried.

Supervisor D'Alessandro thanked John Cutler for his years of service on the Planning Board.

19. Recognize Highway Seasonal Hires

RESOLUTION

(ACKNOWLEDGING HIRING OF SEASONAL LABORERS FOR THE HIGHWAY DEPARTMENT)

WHEREAS, the Highway Superintendent has interviewed and hired four seasonal laborers; and

WHEREAS, the Highway Superintendent has submitted a letter to the Town Board attached hereto;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby acknowledges the hiring of Lucas Franzen and Andrew Kundrat at an hourly rate of \$13.00 as full-time Seasonal Laborer; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby acknowledges the hiring of Erik Williams at an hourly rate of \$13.50 as full-time returning Seasonal Laborer; and

BE IT FURTHER RESOLVED, that that upon completion of their task, they shall be removed from the payroll.

Motion to recognize Highway seasonal hires: Board Member Cassidy. Seconded: Board Member Beephan. All voted in favor. Motion carried.

20. Recognize a MEO hire in the Highway Department

(ACKNOWLEDGE HIRE AT HIGHWAY DEPARTMENT)

WHEREAS, the Highway Superintendent has identified the need to hire a Motor Equipment Operator; and

WHEREAS, the Highway Superintendent has submitted a letter to the Town Board, requesting said position to be filled; and

WHEREAS, the Highway Superintendent has interviewed qualified candidates and recommends Peter Lacalamita for said title; and

NOW, THEREFORE, BE IT RESOLVED, the Town Board hereby acknowledges the appointment in the Highway Department; and

BE IT FURTHER RESOLVED, Peter Lacalamita is hereby appointed to the position of Motor Equipment Operator, effective April 22, 2021 and will be paid pursuant to the CSEA Collective Bargaining Agreement Salary Schedule.

Motion to recognize a MEO hire in the Highway Department: Board Member Franco. Seconded: Board Member Beephan. All voted in favor. Motion carried.

21. Authorize the hiring of a Clerk to the Justices

RESOLUTION

(AUTHORIZE HIRING OF CLERK TO THE JUSTICE)

WHEREAS, a Clerk to the Justice position has been vacant in the Town of East Fishkill since the retirement of Jean Lee; and

WHEREAS, The Town Justices has requested to fill the vacant position; and

WHEREAS, the Town Justices has interviewed qualified candidates; and

NOW, THEREFORE, BE IT RESOLVED, the Town Board hereby appoints Jessica Edwards to the position of Clerk to the Justice; and

BE IT FURTHER RESOLVED, such person will be paid pursuant to the CSEA Collective Bargaining Agreement Salary Schedule effective April 26, 2021.

Motion to authorize the hiring of a Clerk to the Justices: Board Member Franco.
Seconded: Board Member Beephan. All voted in favor. Motion carried.

Supervisor D'Alessandro thanked Jean for her 37 years of service.

22. Adopt New Police Department Policy

RESOLUTION

(ADOPTING POLICE POLICY DEALING WITH NEW YORK STATE EXECUTIVE LAW 70-B)

WHEREAS, the Police Chief is requesting that the Town Board adopt the attached Policy that deals with NYS Executive Law 70-B as it pertains to the Attorney General's Office of Special Investigations; and

NOW, THEREFORE, BE IT RESOLVED, the Town Board as well the Town Attorney have reviewed said policy; and

BE IT FURTHER RESOLVED, that Town Board does hereby adopt the Police Policy Dealing with New York State Executive Law 70-B

Motion to adopt a new Police Department Policy: Board Member Franco.
Seconded: Board Member Beephan. All voted in favor. Motion carried.

23. Authorize the hiring of the seasonal Red Wing Staff

RESOLUTION

(AUTHORIZING HIRING OF SEASONAL EMPLOYEES FOR CAMP AND RED WING PARK)

WHEREAS, the Town of East Fishkill conducts extensive summertime programs for the Town; and

WHEREAS, it is the desire of the Town Board to authorize the hiring of temporary part-time workers for the summer season to assist in various programs; and

WHEREAS, the Director of Recreation has submitted to the Town Board the names of employees for this summer program and the amounts of their hourly rates; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Comptroller is hereby authorized to place temporary summer employees on the Town payroll for recreation camp and Red Wing Park as set forth in the annexed memo from the Director of Recreation; and

BE IT FURTHER RESOLVED, that said employment shall only be during the summertime employment for the amounts listed in the letter and that upon completion of their task, they shall be removed from the payroll, unless further ordered by the Town Board.

Motion to authorize the hiring of the seasonal Red Wing Staff: Board Member Franco. Seconded: Board Member Cassidy. All voted in favor. Motion carried.

24. Award Brush Drop Off

(AWARD BRUSH DROP LOCATION)

WHEREAS, the Town of East Fishkill has requested proposals for a Brush Drop location for the Town; and

WHEREAS, the proposals have been previously received by the Town Clerk. The bid does specify that the Town Board does have the option to renew the contract from 2020 for one more year; and

WHEREAS, the Highway Superintendent, and the Town Board do hereby exercise their option to renew last year's contract for a period of one year.

WHEREAS, the Highway Superintendent, Town Supervisor and Comptroller are hereby authorized to award the brush drop off contract to Metzger Construction Corp.- Lime Kiln Road, LLC for services to commence on May 26, 2021; and

NOW, THEREFORE BE IT RESOLVED, that the lowest responsible bidder will adhere to the Governors Covid-19 Regulations; and

BE IT FURTHER RESOLVED, that the Brush Drop Program will run from May 26, 2021 until June 19, 2021 and in the fall from October 6, 2021 until October 30, 2021.

Motion to award brush drop-off: Board Member Cassidy. Seconded: Board Member Marinaro. All voted in favor. Motion carried.

25. Appoint a temporary part-time typist

RESOLUTION

(APPOINT TOWN HALL TEMPORARY PART-TIME TYPIST)

WHEREAS, the Town is in need of an additional temporary typist commonly referred to as a floater to assist in the clerical functions necessary to operate Town Departments; and

WHEREAS, the Town Clerk has interviewed Jessica Savage and recommends her to the Town Board; and

NOW, THEREFORE, BE IT RESOLVED, that Jessica Savage is hereby appointed as temporary part-time typist in the Town, being paid at the hourly rate of \$15.38; and

BE IT FURTHER RESOLVED, that said typist shall work at the pleasure of the Town Supervisor in accordance with all the previously established rules and regulations and will be removed from the payroll upon completion of their tasks.

Motion to appoint a temporary part-time typist: Board Member Franco. Seconded: Board Member Beephan. All voted in favor. Motion carried.

26. Authorize the Fireworks Permit for the Sons of Italy Festival Memorial Day weekend

RESOLUTION

(AUTHORIZE FIREWORKS PERMIT AND GRANT PERMISSION TO USE HOPEWELL RECREATION FIELD MAY 27-30, 2021)

WHEREAS, the Sons and Daughters of Italy conduct their annual event to provide entertainment and fireworks to the community; and

WHEREAS, the Town has traditionally allowed them the use of the Hopewell Recreation Field for this purpose; and

WHEREAS, the Sons and Daughters of Italy is requesting the Town Board approve the use of the Hopewell Recreation Field from May 27, 2021 through May 30, 2021; and

WHEREAS, the Sons and Daughters of Italy is requesting the Town Board approve the firework display for Sunday, May 30, 2021; and

THEREFORE, BE IT RESOLVED, that the Sons and Daughters of Italy is authorized to use the Recreation Field and have the fireworks display on the date requested; and

BE IT FURTHER RESOLVED, that the Town Police, Town Recreation Department and all other agencies of the Town are authorized and directed to allow the use of the Hopewell Recreation Field by the Sons and Daughters of Italy for the firework display; and

BE IT FURTHER RESOLVED, that this consent is subject to the receipt of a Certificate of Insurance from the Sons and Daughters of Italy indemnifying the Town for any liability arising out of their use of the fields.

Motion to authorize the Fireworks Permit for the Sons of Italy Festival on Memorial Day Weekend: Board Member Cassidy. Seconded: Board Member Beephan. All voted in favor. Motion carried.

Budget Transfer:

Supervisor D'Alessandro stated there were no budget transfers for the evening. There will be a year ending financial statement for 2020 from the Comptroller next month.

Comments from Town Board Members:

Highway Superintendent Williams stated the sweepers have been out since March 31. They have been doing prep work for paving in the Wiccopee area and the Deer Wood development. They have been replacing and repairing catch basins as needed and fixing rotted pipes. They have been working at the town recreation bathrooms replacing water lines. They are patching potholes town wide as the weather allows. They are doing tree work. There was some tree damage after the storm last night. Hillside Lake project has been finalized. He is working on the list of roads to be paved with the Town Engineer and the Town of Board.

Police Chief Bellino thanked the Board for their support for the last 16 months. There have been a few serious accidents recently. There were two female fatalities due to accidents. He read a thank you letter from the Sisters at St. Aloysius for the Police Department assistance during the loss of their Mother

Superior. After last night's storm the Highway Department had all of the roads open within an hour. Last month they have almost 1800 calls for service. There were 138 offense reports and 16 arrests. There has been some criminal mischief cases in regards to the town property and three arrests have been made.

Board Member Beephan thanked Director McHugh for her service to the Town. Camp will operate smoothly and safely this year, but Janet will be missed. There are two new restaurants open in the town. One is in Casa Mexico on Route 52 and Mami's Place on Route 376. Town Cleanup Day will be May 1st. Red Wing will be open this year. They are uncertain if season passes will be available.

Board Member Franco thanked Janet McHugh. She was a very big part of Think Differently Day and he appreciated all of her hard work. With all of the negative coverage police departments nationwide are getting it is great to hear the positive feedback East Fishkill's police received. He thanked the Department for making everyone proud.

Board Member Marinaro stated he has been stopping by the Highway garage regularly. Equipment has been getting repaired from winter usage. Covid has been a concern with employees but all jobs are continuing to get done. Tuesday was the final inspection on the Hillside Lake site with DEC, the Highway Superintendent, and the Town Engineer's representative and it went very well. The lake looks great. Hopefully, the treatment will work for the lily pads. The old town hall building housing the tax department will be a good thing. He also thanked Janet McHugh for her service. There has been some vandalism in the parks lately. Parents need to remind their children that this is public property and needs to be treated properly.

Board Member Cassidy stated there have been a lot of retirements in the last year. Town Cleanup is May 1st. Community Day is September 18th or 19th. He thanked all the volunteers and essential people in town for their service.

Motion for Adjournment: Time: Motion to adjourn the regular meeting at 8:09 PM: Board Member Cassidy. Seconded: Board Member Beephan. All voted in favor. Motion carried.

Town Board Meetings:

Workshop:

May 13, 2021

Regular Meeting:

May 27, 2021

Respectfully submitted by Julie J. Beyer on behalf of Town Clerk Carol A. Hurray
– April 25, 2021